



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTON  
ATTORNEY GENERAL**

December 19, 1990

Mr. Kevin B. Laughlin  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79702-1152

OR90-578

Dear Mr. Laughlin:

By letter of November 7, 1990, you ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11079.

The City of Midland received a request under the Open Records Act for certain documents. You provided some of the documents, but state that the city does not have possession of the remaining documents requested. These consist of driving records maintained by the Texas Department of Public Safety and criminal history records maintained by TCIC and NCIC for law enforcement purposes.

The city is not required to develop new documents in response to a request under the Open Records Act. Open Records Decision No. 362 (1983). Open Records Decision No. 558 (1990) dealt with a request to a county for employee driving records, which the county did not maintain. We stated that the county did not have to secure this information in response to the open records request. You are not required to secure the driving records or TCIC and NCIC information that have been requested. Enclosed for your information is a copy of Open Records Decision 565 (1990), which discusses access to TCIC and NCIC information.

Because prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records

decision. If you have questions about this ruling, please refer to OR90-578.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison  
Assistant Attorney General  
Opinion Committee

SG/le

Ref.: ID# 11079

Enclosure: Open Records Decision Nos. 362, 558, 565